

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	4:05CR3029
v.	)	
	)	
ARTHUR E. SHARPLEY, JR.,	)	
	)	MEMORANDUM AND ORDER
Defendant.	)	
	)	

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The defendant has moved for an early release from probation. Defendant points out that he has completed his community service requirements and paid his fine, and that he has not violated the terms of his probation. Defendant also points out that he has spent much time and money in assisting Casey Foster in the efforts that culminated in September with Foster and the Foster Cattle Company receiving the Nebraska Outstanding Grassland Conservation Award from the Nebraska Association of Resources Districts.

The government has opposed the request, arguing that the three-year probation should be allowed to continue. The government emphasizes that the three-year hunting prohibition which was a condition of probation should remain in place as a demonstration to defendant and others of the seriousness with which the government and the court viewed the violations in this case.

I agree that the violation for which the defendant was sentenced was serious, and I think the hunting prohibition should extend through the current season. On the other hand, in recognition of the service the defendant has provided in

enhancing wildlife habitat, I shall terminate the probation six months early.

IT THEREFORE HEREBY IS ORDERED,

The defendant's request for early termination of probation is granted in part, and the defendant's term of probation shall terminate on February 15, 2008.

DATED this 7<sup>th</sup> day of November, 2007.

BY THE COURT:

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge